

COMMISSION MEETING MINUTES
March 30, 2004

The Board of Davis County Commissioners met in the Commission Chambers of the Davis County Courthouse, Farmington, Utah on March 30, 2004. Members present were Chairman Dannie R. McConkie, Commissioner Carol R. Page, Commissioner Michael J. Cragun, Clerk/Auditor Steve S. Rawlings, Chief Deputy Civil County Attorney Gerald E. Hess, and Commission Office Manager Linda May.

Agreement
#2004-099 to
Lease Land
From
Centerville for
Library Site

Pete Giacomia, Davis County Library Director, presented a lease agreement #2004-099 with Centerville City. It is to lease property owned by Centerville City for the purpose of constructing a Davis County library branch. It is a 50-year lease at \$1.00 per year. The building will be under construction within two years of the signing of the lease. Commissioner Page made a motion to approve. Commissioner Cragun seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Grant
Confirmation
#2004-019 UT
State Library
Division to
Digitize
Newspapers

Pete Giacomia presented the paperwork for grant #2004-019 with the Utah State Library Division. Application for the grant was made earlier this year and has been approved for \$74,000.00 with a local match from Davis County of \$2,500.00. Davis County Library will act as the coordinating agency for multiple newspapers that will be digitized. Commissioner Cragun made a motion to approve. Commissioner Page seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement
#2004-100
Classical Inter.
Inc for Music
License

Pete Giacomia presented an agreement #2004-100 with Classical International Inc. for a music license agreement. The agreement will allow for seven simultaneous users to log on to the Davis County Library site and use their library card to access an internet site to hear classical music. Davis County will be the first library in Utah to offer the service. Commissioner Page made a motion to approve. Commissioner Cragun seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement
#2004-101
M&M Asphalt
Services Inc to
Crack Seal
Roads

Robert Smith, Davis County Public Works Interim Director, presented an agreement #2004-101 with M&M Asphalt Services Inc. to crack seal unincorporated roads in Davis County. The amount of the contract is \$19,777.72. Commissioner Cragun made a motion to approve. Commissioner Page seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement
#2004-102 ESI
Engineering
Inc. for Flood
Control
Assessment
Studies

Robert Smith presented an agreement #2004-102 with ESI Engineering, Inc. to provide technical assistance in preparing flood control assessment studies on six debris basins of Davis County. It is in the amount of \$9,760.00. The hydrologic study is being required by the State as a result of their dam safety inspections. Once a plan has been identified there is a 80/20 split for repairs. Commissioner Page made a motion to approve. Commissioner Cragun seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Change Order
2004-80A Leon
Poulson
Construction
for Additional
Pipe & Boxes
at Clinton
Project

Robert Smith presented a change order 2004-80A for Leon Poulson Construction. The company is being requested to install additional boxes and pipe at 1200 West and 1500 West on 2300 North in Clinton. The additional amount to be paid is \$26,377.50. The project will be completed before a near by line is charged for irrigation. Commissioner Cragun made a motion to approve. Commissioner Page seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Mark Bedel,
State Dept. of
Comm. &
Econ. Dev.
Presented
Overview of
Jordan River
Natural Areas

Mark Bedel, Strategic Planning Director, State of Utah Department of Community and Economic Development, presented an overview of the Jordan River Natural Areas Forum (JRNAF). He introduced Michael Hansen, State and Local Planner with the Governor’s Office. The Jordan River Natural Areas Forum is dedicated to promoting awareness, acquisition, management and restoration of natural areas along the

Forum

Jordon River balanced with the human uses of the river corridor. The distance of the river is approximately 40 miles from Utah Lake to the Great Salt Lake. New members may be admitted at any time by signing on to the Memorandum of Understanding. Currently North Salt Lake City and Woods Cross City of Davis County have signed the MOU. The request from Mr. Bedel is to have a representative designated for Davis County to attend a bi-monthly meeting (first Wednesday every other month) and to serve on one of the standing committees. Commissioners McConkie stated that it would seem appropriate to have a person designated from our Davis County Community and Economic Development Office. Wilf Sommerkorn, Davis County Community and Economic Development, stated that with the new planner to be hired it could now be a possibility to assign someone from their department. This appointment will be presented at a future meeting.

Commission Minutes Approved

Commission meeting minutes of March 23 were presented. Commissioner Page made a motion to approve. Commissioner Cragun seconded the motion. All voted aye.

Personnel Register Approved

A personnel register was presented. Commissioner Cragun made a motion to approve. Commissioner Page seconded the motion. All voted aye.

Check Register Approved

Check registers were approved as presented with a motion from Commissioner Page. Commissioner Cragun seconded the motion. All voted aye.

Agreement #2004-103 with John Acorn to be a Presenter at the Bird Festival

An agreement #2004-103 with John Acorn was presented. Mr. Acorn serves as a lecturer at the University of Alberta, Canada and is an Associate of the E. H. Strickland Entomology Museum. He will be a presenter at the Davis County Community and Economic Development sponsored 6th Annual Great Salt Lake Bird Festival. The payment will be \$1,500.00 plus airfare, meals, lodging, etc. Commissioner Page made a motion to approve. Commissioner Cragun seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Amendment #2003-214B UT Div. Of Aging & Adult Serv. To Increase Funds

An amendment #2003-214B with the Utah Division of Aging and Adult Services was presented. It is to increase the contract amount by \$30,000.00 for cash-in-lieu and \$6,695.00 for Title V. The funds are used to provide services to senior citizens and dysfunctional adults for in-home and out-of-home services. Commissioner Cragun made a motion to approve. Commissioner Page seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Commissioner Cragun made a motion to convene as the Board of Equalization. Commissioner Page seconded the motion. All voted aye.

Property Tax Register Approved

Commissioner Page made a motion to approve the property tax register as presented. Commissioner Cragun seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Personal Property Tax Appeal for JC Penney Company Denied

An appeal hearing for JC Penney Company Inc. will be heard at the request of Lee Seybert, Tax Representative for JC Penney Company. The hearing is to review the personal property statement filed for 2004 for the telemarketing center located at 1505 North Main Street in Bountiful, Utah. Mr. Seybert, Dallas, Texas, spoke with Cary Liston this morning and stated he would not be at the hearing and to proceed with the hearing and inform him of the decision.

Cary Liston, Davis County Assessor’s Office, stated that when Mr. Seybert filed the 2004 Personal Property Statement for the JC Penney’s telemarketing center in Bountiful, he deleted about 40% of the value of the equipment at the location by reclassifying and revaluing it. The equipment for a business must be classified as directed by the Tax Commission in order to equitably tax all businesses. The conclusion was that Mr. Seybert was not just deleting equipment that was gone but was revaluing and reclassifying it. He eliminated all equipment from the State Classifications that are set up for phone systems, Point of Sale

machines, and software. It would be difficult, if not impossible to run a telemarketing business without those items. The outstanding bill is \$5,738.84.

Herb Jenkins, Utah State Tax Commission Administration, stated that a State audit took place in 2002. The company filing for 2003 disregarded the State Audit and the State schedules and methods of valuing personal property. The details are outlined in the State audit report on file in the office of the Davis County Assessor.

Commissioner Cragun made a motion to deny the appeal based upon improper reclassification of personal property as defined by the State tax commission rule. Commissioner Page seconded the motion. All voted aye.

Commissioner Cragun made a motion to close the Board of Equalization and reconvene commission meeting. Commissioner Page seconded the motion. All voted aye.

Meeting adjourned.